

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO. 2309-01  
BILL NO. HB 1505  
SUBJECT: Boats & Watercraft: Public Safety Department  
TYPE: Original  
DATE: January 28, 2000

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**FISCAL SUMMARY**

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<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses

This fiscal note contains 3 pages.

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of the Attorney General, Department of Revenue, Department of Public Safety - Missouri State Water Patrol (MWP) and Missouri Department of Conservation** assume that this proposal would have no fiscal impact to their agencies.

In response to a nearly identical proposal in the previous legislative session, MWP officials noted that although there was no fiscal impact to implement the proposal, there could be an impact for failure to enact the proposal. When the state's water safety laws do not conform to federal laws, the U. S. Department of Transportation - U. S. Coast Guard can withhold the U. S. Coast Guard Grant of approximately \$640,000 to the MWP.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	0	0	0
<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	0	0	0

### FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

### DESCRIPTION

This proposal would change requirements for use of personal flotation devices.

Currently, the Director of Revenue is authorized to impose a penalty or cancel registration for failure to register a documented vessel or for selling a documented vessel without a certificate of registration. Under this proposal, such a penalty or cancellation can apply to vessels documented prior to August 28, 1994, only if the person has received at least a 30-day notice that registration is required.

DESCRIPTION (continued)

The chemical analysis of a person's urine may also be used to determine if a person's blood alcohol content is excessive in connection with operating watercraft.

A vessel operating within 100 feet of any other vessel or person in the water or within 100 feet of docks or piers on any lake or waters of the Missouri or Mississippi rivers is restricted to a speed no greater than a slow-no wake speed.

Any time a watercraft, except personal watercraft, is pulling a person water skiing, tubing, or engaged in similar activity on Missouri lakes, the Missouri River, or the Mississippi River must display a red or orange flag.

No person may knowingly operate any watercraft within 100 feet of a flagged vessel at a speed in excess of a slow, no-wake speed. Currently, such flag must be used whenever a person leaves a watercraft on waters of Missouri lakes, the Mississippi River, or the Missouri River between the hours of 11 a.m. and sunset and operation around such watercraft is restricted to 50 yards.

The proposal also gives State Water Patrol officers arrest powers outside of their jurisdiction in certain circumstances.

This legislation is federally mandated (Federal Code of Regulation - Title 46 Chapter 43 Section 4306, related to federal preemption). It would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety - Missouri State Water Patrol  
Office of Attorney General  
Missouri Department of Conservation  
Department of Revenue



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Director  
January 28, 2000